

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LORA JOLIFF,
 Plaintiff(s),

v.

NEVADA CVS PHARMACY, LLC, et al.,
 Defendant(s).

Case No. 2:21-cv-00098-GMN-NJK

Order

[Docket No. 16]

Pending before the Court is a stipulation for a three-month extension of deadlines in the scheduling order. Docket No. 16.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

The first reason proffered for the requested extension does not establish good cause. Nearly a month ago, the Court denied Defendant's motion for entry of a protective order because that should be a routine matter that should almost never require motion practice. Docket No. 15.¹ The instant stipulation indicates that discovery has been delayed because the parties are still unable to agree to the language of a protective order. Docket No. 16 at 3. The Court will not endorse a position that a failure to cooperate or engage in standard litigation procedures constitutes good cause for an extension; such circumstances assuredly are not good cause. In addition, the parties must file a (hopefully joint) request for entry of a protective order by December 15, 2021.

¹ Indeed, some judges provide sample protective orders on their court's websites for litigant use. *See, e.g.*, <https://www.cacd.uscourts.gov/honorable-jacqueline-chooljian>.

1 The other reasons proffered for the requested extension are that the parties are in the
2 process of obtaining medical records and scheduling an independent medical examination. *See*
3 Docket No. 16 at 3-4. While the stipulation does not provide meaningful explanation as to how
4 those circumstances justify a three-month extension (as opposed to a shorter one), the Court will
5 allow the extension requested with the caveat that it expects the current deadlines to be met without
6 any further extension request.

7 Accordingly, the stipulation to extend is **GRANTED** and deadlines are **RESET** as follows:

- 8 • Amend pleadings/ add parties: Closed
- 9 • Initial experts: March 30, 2022
- 10 • Rebuttal experts: May 2, 2022
- 11 • Discovery cutoff: May 30, 2022
- 12 • Dispositive motions: June 28, 2022
- 13 • Joint proposed pretrial order: July 28, 2022, or 30 days after resolution of dispositive
14 motions

15 IT IS SO ORDERED.

16 Dated: December 8, 2021

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19 Nancy J. Koppe
20 United States Magistrate Judge
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